

AFFIDAVIT OF SPECIAL AGENT JEAN DROUIN

Special Agent Jean Drouin deposes and states as follows:

I. INTRODUCTION

1. I am a Special Agent with the United States Drug Enforcement Administration (DEA). I have served in this capacity since April 1998. I am currently assigned to the Boston, Massachusetts Division Office, DEA Task Force 2. Prior to joining the DEA, I was employed by the Dekalb County Police Department, in Atlanta, GA, as a full time Police Officer for approximately 3 years. During my tenure as a Dekalb County Police Officer I was assigned to a street level drug unit. As a Police Officer, I made over 100 drug related arrests and have debriefed numerous informants and persons relative to drug distribution. I have a Bachelor of Arts in Criminology from the University of Southern Maine.

2. During the course of my law enforcement career, I have had extensive experience in the investigation of the activities of narcotics traffickers. Since joining the DEA, I have participated in numerous narcotics investigations as a case agent and in a subsidiary role. I have written and/or participated in the execution of numerous search warrants resulting in drug seizures, including large quantities of controlled substances; packing implements and other paraphernalia involved in the manufacture and distribution of controlled substances; large amounts of United States currency, ledger books, bank records,

telephone books, receipts, drug customer lists and other documents relating to the manufacturing, transportation, ordering, purchasing and distribution of controlled substances. I have debriefed numerous defendants, informants, and witnesses who had personal knowledge about narcotics trafficking activities and the operation of narcotics trafficking organizations. I personally have participated in all aspects of narcotics trafficking investigations, including conducting surveillance, using confidential informants, acting in an undercover capacity, and conducting court-authorized interceptions of wire and electronic communications.

3. Based upon my training and experience, I am also familiar with narcotics traffickers' methods of operation, including the distribution, storage, and transportation of narcotics and the collection of money that constitutes the proceeds of narcotics trafficking activities. Specifically, I am familiar with the manner in which narcotics traffickers use vehicles, common carriers, mail and private delivery services, and a variety of other means to transport and distribute narcotics and the proceeds of narcotics trafficking. I am aware that drug traffickers commonly use cellular telephones in furtherance of their drug trafficking activities and frequently change cellular telephone numbers and cellular telephones in an effort to thwart law enforcement's use of electronic

surveillance. I also am familiar with the manner in which narcotics traffickers use telephones, coded, veiled, or slang-filled telephone conversations, pagers, coded pager messages, and other means to facilitate their illegal activities. I also am familiar with the vernacular or street-names for users and distributors of controlled substances and the methods by which such persons attempt to disguise the subjects of their conversations and operations.

This Case

3. I have personally participated in the investigation of the subjects identified in this Affidavit since January, 2003. I am familiar with the facts and circumstances of this investigation from oral and written reports made to me by other Agents of the DEA, other federal, state and local law enforcement agencies, oral and written reports of conversations and meetings with numerous confidential sources, a review of consensually recorded conversations, and a review of wire intercepted conversations as well as my own personal participation in the investigation which includes surveillance and independent investigation.

4. I am submitting this affidavit for two reasons: **A)** in support of an application for a criminal complaint charging: **1.** Andres MARTINEZ, a/k/a Castro Casimiro, a/k/a Joel Zequeira, a/k/a SACAIDA; **2.** Jose ROSALES, a/k/a Tony, a/k/a Tono, a/k/a

Joel Agostini; **3.** Valentin MARTINEZ, a/k/a Valentin RIVERA, a/k/a "V"; a/k/a Vale; **4.** Kelvin MADERA, a/k/a Manolo LNU, a/k/a Manuel GERMOSEN; **5.** Abdallah HAMDAN; **6.** Carlos RUIZ, a/k/a Coco-Colo; **7.** Ricardo MARTINEZ, a/k/a Chorizo, a/k/a Chori; **8.** Howard GREENBERG, a/k/a Howie; **9.** Carlos COLON-RIVERA, a/k/a Tigueron; **10.** Rogelio GARCIA, a/k/a Lacuilla, a/k/a Alberto; **11.** Javier Angel Romero, a/k/a Ramon ACOSTA; **12.** Cristian GERMOSEN, a/k/a Christian; **13.** Juan MARTINEZ, a/k/a Marcelino Cuevas, a/k/a CHON; **14.** Gerardo Vasseur ORTIZ, a/k/a Scarface; **15.** Phillip ASARO, a/k/a Phil; **16.** Silvestre LIZARDI, a/k/a Silvestre; **17.** Robert RUSCIO, a/k/a Bob; **18.** Giovanni AVILA, a/k/a Giovanni, a/k/a the Painter; **19.** Gilberto ZAYAS, a/k/a Tony; **and 20.** Luis DEJESUS, a/k/a Edgardo, (hereinafter referred to as "the Target Subjects") with conspiracy to possess with intent to distribute cocaine, a Schedule I controlled substance, in violation of 21 U.S.C. 846; **and B)** in support of an application for the issuance of eleven (11) Search Warrants to be executed at the Target Locations referred to below and as further described in **Attachment A.**

5. This affidavit includes a summary of events that I am personally familiar with as well as the observations and knowledge related to me by other DEA agents, Lynn and Peabody Police Officers, Massachusetts State Troopers and other law enforcement personnel that have been working on this

investigation. This affidavit does not set forth all the facts developed during the course of this investigation. Rather, it sets forth only those facts that are necessary and sufficient to establish probable cause to believe that SACAIDA; ROSALES; MARTINEZ; MADERA; HAMDAN; RUIZ; Ricardo MARTINEZ; GREENBERG; COLON-RIVERA; GARCIA; ACOSTA; GERMOSEN; CHON; ORTIZ; ASARO; LIZARDI, RUSCIO, and AVILA have committed the aforementioned crime described within the attached Criminal Complaint, and that the aforementioned eleven (11) locations contain cocaine or other narcotics, U.S. currency, documents and other records detailing the shipment, financing, purchasing, and distribution of kilogram (and lesser) amounts of cocaine, documents confirming travel and other expenses incurred by the organization, and telephones or other communication devices used to facilitate used to facilitate the illegal distribution of narcotics; as well as other evidence tending to prove that the aforementioned target subjects violated 21 U.S.C. §846.

A. Target Individuals

- 1) **Andres MARTINEZ, a/k/a Castro Casimiro, a/k/a Joel Zequeira, a/k/a SACAIDA**

6. Agents believe that Andres MARTINEZ, a/k/a Castro Casimiro, a/k/a Joel Zequeira is the Hispanic male that has been addressed or referred to as either "SACAIDA" OR "Andres" during the authorized Title III intercepts of multiple cellular telephones, in particular, facilities utilized by MADERA (target

telephone # 11, and target telephone # 16) between November 1, 2003 and February 26, 2004, for the following reasons: **1)** SACAIDA has been intercepted speaking with MADERA, and sometimes CHON (his son), either from a series of Mexican telephone numbers as well as, more recently, over cellular telephones (323) 383-8811 (target telephone # 18) and 602 265-0739 (target telephone # 19); **2)** SACAIDA was arrested in Lynn, Massachusetts in 1991 under the alias "Castro Casimiro" for a motor vehicle insurance violation, a charge that was later dismissed. In February 1993 SACAIDA was arrested again under the name "Castro Casimiro" for violating a restraining order pursuant to the abuse prevention act. In May 1993, SACAIDA was arrested under the name "Castro Casimiro" for illegally attaching license plates, and operating an uninsured vehicle. All charges were dismissed. SACAIDA was also arrested in September of 1993 under the name "Castro Casimiro" for possession of a firearm without a permit and an alien possession of a firearm; **3)** a cooperating source working with law enforcement throughout this investigation, CS11, was shown a photograph array that included a Lynn Police booking photograph of "Castro Casimiro" taken in connection with one of the 1993 Massachusetts arrests of "Castro Casimiro." CS11 picked out the photograph of Castro Casimiro and stated that he knew that person

as "SACAIDA"¹; 4) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 5) On February 13, 2004, SACAIDA called MADERA at target telephone # 11 and told MADERA him that he would be arriving at Logan Airport at 9:00 p.m. that night aboard United Airlines Flight No. 178. At approximately 9:15 p.m. on February 13, 2004, surveillance at the United Airlines terminal in Boston observed an Hispanic male and two Hispanic females exit UA Flight No. 178. They were followed to baggage claim where they were greeted by MADERA. Surveillance identified the Hispanic male as SACAIDA from a comparison of both the 1993 Lynn Police photograph of "Castro Casimiro," and an October 2000 MA RMV driver's license

¹ CS11 was arrested in 2000 in the Commonwealth of Massachusetts and charged with trafficking in cocaine; that case is currently pending in Massachusetts court. In July 2003, CS 11 was arrested a second time for illegal possession of weapons. CS11 is currently cooperating with agents from the DEA in Lowell, MA and the Massachusetts State Police. At this writing CS11 is a DEA documented "CS" and is cooperating in the hope of receiving consideration at his future criminal sentencings. CS11 has provided the following information to law enforcement.

photograph "Joel Zequeira."² The two females accompanying SACAIDA were identified as Sagrario Godinez, SACAIDA's wife (see 9), infra, and Martha Rubio³; 6) The Commonwealth of Massachusetts' Bureau of Probation Report for "Castro Casimiro" lists his aliases as "Andres MARTINEZ" (DOB 7/20/49) and "Andres Aceves" (DOB 7/20/47); 7) there is an outstanding Bureau of Immigration and Customs (BICE) Warrant of Removal for SACAIDA under the name "Andres MARTINEZ" for being in the country illegally. I have examined the INS file for Andres MARTINEZ and learned the following: (a) SACAIDA was referred to INS in Lynn, MA as an illegal alien on February 2, 1993 following his arrest in Lynn, MA under the name "Castro Casimiro" on February 2, 1993 for violating a domestic restraining order); (b) Andres MARTINEZ reported that his father's name was Jesus MARTINEZ and his mother Amparo Aceves; the "Castro Casimiro" BOP reflects the same parental names; (c) Andres MARTINEZ' provided INS a home address of 108 Johnson Street, 3rd floor, Lynn, MA; 8) it is apparent from recent conversations over target telephone # 11 between MADERA and SACAIDA, that SACAIDA has been living in Mexico for some time, has been in direct contact with Valentin MARTINEZ

² Since "SACAIDA" and "Zequeira" sound the same, monitors could, of course, be hearing SACAIDA being addresses/referred to as "Zequeira" during Title III intercepts.

³ A review of the flight manifest for UA No. 178 confirmed the following passengers seated in Row 19 – S. Godinez, J. ZEQUEIRA (SACAIDA), and M. Rubio.

during MARTINEZ' stay in Mexico since September 21, 2003, is a blood relation of MARTINEZ (uncle), has been unhappy with MARTINEZ and, as such, has supplanted him in overall control of the Massachusetts drug operation, and, recently, left Mexico for the United States in conjunction with the anticipated shipment of a large amount of cocaine that SACAIDA has arranged to be shipped to this area from Mexico; 9) SACAIDA is married to Sagrario Godinez, an Hispanic female who was sent to Massachusetts by SACAIDA in November 2003. On November 11, 2003 SACAIDA was intercepted telling CHON and MADERA that he was sending "Sagrario" to Lynn, MA to ready one of the organization's houses and also help with finances. Subsequent intercepts on November 13, 2003 confirmed that "Sagrario" had arrived at Logan Airport, and, in a brief conversation with SACAIDA after her arrival (over MADERA's telephone, target telephone # 11), "Sagrario" threatened to "divorce" SACAIDA for making her come to Massachusetts. (Videotape surveillance of 6 Endicott Street, Danvers, MA (hidden camera) in late November 2003 depicted "Sagrario Godinez" standing outside of 6 Endicott Street, Danvers, MA.

2) Jose ROSALES, a/k/a Tony, a/k/a Tono, a/k/a "Joel Agostini"

7. Agents believe that Jose ROSALES is the Hispanic male referred to or addressed as "Jose", "Tono", or "Joel Agostini" during authorized Title III intercepts of multiple cellular telephones, including five (5) target telephones (target

telephone #1, target telephone # 2, target telephone # 6, target telephone # 15, target telephone # 17) that were utilized by ROSALES between August 1, 2003 and February 26, 2004, for the following reasons:⁴ **1) (a)** target telephone #1 (339 298-9015) was a Sprint PCS cellular telephone subscribed to Jose ROSALES, 115

⁴ On July 31, 2003, the Hon. Joseph L. Tauro authorized the initial wire interceptions of two (2) cellular telephones that were being utilized by ROSALES at the time. (Hereinafter, the "Title III intercepts".) These wireless telephones were identified in a previous submission to the Court as target telephone #1 and target telephone # 2. (Hereinafter, the "target telephones.") Pursuant to the Court's Order, interception of wire communications over these facilities began on August 1, 2003.

Over the ensuing six months, the Court authorized extensions of target telephone # 2, but also authorized initial wire intercepts (and related extensions) over numerous other target telephones. Subsequent judicial authorizations include: August 12, 2003 - **target telephone # 3**; August 29, 2003 - **target telephone # 2 (re-up), target telephone # 4, target telephone # 5, target telephone # 6, and target telephone # 7**; September 10, 2003 - **target telephone # 8**; September 19, 2003 - **target telephone # 9**; October 2, 2003 - **target telephone # 2 (re-up), target telephone # 6 (re-up), target telephone # 10**; October 17, 2003 - **target telephone # 11**; October 30, 2003 - **target telephone # 12 , target telephone # 13**; November 3, 2003 - **target telephone # 6 (re-up)**; November 18, 2003 - **target telephone # 11 (re-up)**; December 4, 2003 - **target telephone # 6 (re-up)**; December 15, 2003 - **target telephone # 14**; December 23, 2003 - **target telephone # 11 (re-up)**; January 8, 2004 - **target telephone # 6 (re-up)**; January 15, 2004 - **target telephone # 15**; January 23, 2004 - **target telephone # 11 (re-up)**; February 4, 2004 - **target telephone # 16**; February 13, 2004 - **target telephone # 18**; February 19, 2004 - **target telephone # 17**; February 20, 2004 - **target telephone # 11 (re-up)**; February 20, 2004 - **target telephone # 19**.

At this writing, sealing of this Complaint and supporting Affidavit is necessary to protect the secrecy of this investigation.

Alley Street, Apartment #1, Lynn, MA; **(b)** target telephone #2 (781 985-5838) was a Sprint cellular telephone subscribed to "Keila Lizardi," 80 Sagamore Street, Apartment # 205, Lynn, MA; **(c)** target telephone # 6 (603 265-0476) is a T-Mobile cellular telephone that was subscribed to "Joel Agostini," 115 Alley Street, Apartment #1, Lynn, MA; **(d)** target telephone # 15 (781 467-8724) is a Cingular cellular telephone subscribed to "Joel Agostini," 115 Alley Street, Apartment #1, Lynn, MA; **and (e)** target telephone # 17 ((603) 265-0125) is T-Mobile cellular telephone subscribed to "Joel Agostini," 115 Alley Street, Lynn, MA; **2)** on numerous occasions since August 1, 2003, surveillance agents have observed Jose ROSALES (after viewing a MA RMV license photograph of "Jose ROSALES" and comparing the likeness) operating a grey, Mercury Sable station wagon - MA Reg. US 8280. MA Reg. US 8280 was the registration for the grey Mercury Sable, *initially* under "Jose ROSALES," 80 Sagamore Street, Lynn, MA (ROSALES's residence); *then* under "Joel Agostini," 115 Alley Street, Apartment #1, Lynn, MA. US8280 is *currently* registered to a black Jeep Cherokee, to "Jose ROSALES," 88 New Park Street, Lynn, MA.⁵ The grey Mercury Sable has been re-registered as MA

⁵ The same black Jeep Cherokee was seen parked in the driveway of 83 Story Street, Newburyport, MA as recently as January 31, 2004. 83 Story Street is the residence of Valentin MARTINEZ and his spouse Ruth Saldivar. Ruth Saldivar has been seen driving the black Jeep Cherokee within the past two weeks despite the fact that the vehicle is registered to Jose ROSALES.

Reg. US 20AJ, to "Jose ROSALES, 6 Endicott Street, Danvers, MA;

3) On August 15, 2003 at 12:35 p.m., ROSALES called the 781 598-0400 (the Wireless Exchange) from target telephone # 2 and spoke with Luis Toribio. During the conversation, ROSALES told Toribio "this is Joel Agostini...the cell phone is not working"; **4)** on March 20, 2003, CS1, at my direction, called target telephone # 2 (781 985-5367), spoke with ROSALES, and ordered cocaine from him. The same day, CS1 met face-to-face with ROSALES in a vehicle within a parking lot in Wilmington, MA and purchased cocaine directly from ROSALES. Prior to CS1's drug purchase, CS1 told me that he/she had known Jose ROSALES for several years and that he/she could contact ROSALES by calling him at 781 985-5367 (target telephone # 2). CS1 also selected a photograph of Jose ROSALES from a number of MA RMV photographs and identified this individual as the person that she knew as ROSALES, the same person that she had known and from whom CS1 had purchased drugs⁶;

5) On August 14, 2003, agents learned from intercepts over target telephone # 2 (ROSALES' facility) that ROSALES intended to fly to Philadelphia, PA aboard American Eagle Flight No. 4245 to meet with Valentin MARTINEZ. Subsequent review of the flight manifest

⁶ CS1 was arrested for possession with intent to distribute cocaine in 2003 and was attempting to obtain a sentence reduction for CS1's cooperation in this matter. CS1 became a documented confidential source for the Drug Enforcement Administration (DEA) on March 11, 2003. CS1 was deactivated as a DEA confidential source on June 29, 2003, as a result of a subsequent drug arrest and a positive drug test for the use of cocaine. CS1 is no longer being used in this matter.

for American Eagle Flight No. 4245 confirmed that "Joel Agostini" was a passenger on that flight. Prior to the flight's departure, surveillance agents observed ROSALES boarding American Eagle Flight No. 4245 at Boston's Logan International Airport; **6)** On October 25, 2003, following an intercept over target telephone # 6 between ROSALES and associate Christian GERMOSEN in which GERMOSEN told ROSALES that he was coming to meet ROSALES, and a second intercept in which GERMOSEN told ROSALES that he was outside ROSALES' apartment, surveillance agents observed: **(a)** GERMOSEN arrive at 46 Wyman Street, Lynn, MA, park in the back of the dwelling, and walk up the back steps; **(b)** GERMOSEN standing at the back door of 46 Wyman Street, Lynn, MA speaking over his cellular telephone at the same time monitors intercepted GERMOSEN talking with ROSALES; **and (c)** moments later, ROSALES exit the back door of 46 Wyman Street, greet GERMOSEN, walk to a nearby green Lincoln Town Car, remove a white plastic bag containing what appeared to be an item the same size and shape of a single kilogram of cocaine, and then hand that plastic bag to GERMOSEN who returned to his vehicle and left the area; **7)** In April 2003, as part of this investigation, TFA Christopher Borum, acting as an undercover agent (UC2), made two (2) recorded calls to target telephone # 2 (ROSALES' facility) and spoke with ROSALES about buying drugs. Subsequently, Borum listened to several ROSALES' intercepts over target telephone # 2 and the recorded calls of

April 2003; the voices were the same voice, according to Borum.

3) Valentin MARTINEZ, a/k/a Valentin RIVERA, a/k/a "V", a/k/a Vale

8. Agents believe that Valentin MARTINEZ is the Hispanic male referred to or addressed by others as "Valentin" or "Vale" during authorized Title III intercepts of multiple cellular telephones, including four (4) target telephones (target telephone #3, target telephone # 4, target telephone # 8, and target telephone # 9), facilities that were utilized by MARTINEZ between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** MARTINEZ is an Hispanic male who resides at 83 Story Street, Newburyport, MA with his wife, Ruth Saldivar and 2 children; **2)** MARTINEZ has two Massachusetts Drivers Licenses: one in the name of Valentin MARTINEZ, and the other MA driver's license in the name of Valentin RIVERA. Each license has a different date of birth and social security number, however both licenses depict the same person known to agents as MADERA; **3)** surveillance observed MARTINEZ and Ruth Saldivar coming and going from 83 Story Street, Newburyport, MA on September 10, 2003 after moving there from 1 Averill Street, Lynn, MA and before MARTINEZ went to Mexico on September 21, 2003; **4)** MARTINEZ has been intercepted numerous times over target telephones either referring to "Ruth" (his wife) or talking with her; **5)** a cooperating source in this case, CS11, selected a photograph of

Valentin MARTINEZ (previously obtained from MA RMV) from a multi person array and identified this individual as "V", an individual that he/she knew and from whom he/she had previously purchased drugs;⁷ **6)** on or about September 19, 2003, while in the Orlando, Florida area, MARTINEZ, speaking over target telephone # 9, told ROSALES that his mother was ill and that he would be flying to Mexico shortly to care for her. On October 20, 2003, a flight manifest for American Airlines Flight No. 2115 between Miami and Mexico City for that day confirmed that "Valentin MARTINEZ-Molina" was a passenger on that flight; **7)** Since September 21, 2003, MARTINEZ has been intercepted speaking with ROSALES and MADERA numerous times over target telephones from Mexico, has confirmed that he was in Mexico caring for his ill mother, and, on February 12, 2004, indicated that he is returning to the United States. On February 4, 2004, monitors intercepted MADERA's wife, Judith Collado, talking with MARTINEZ (her brother) in Mexico over target telephone # 11, MADERA's facility. Collado asked what MARTINEZ's address in Mexico was to send him some music CDs -- Calle Morellos #36, Colonia Santa Rosa, Husatepec, Morelos, Mexico; **and 8)** surveillance observed MARTINEZ

⁷ CS11 was arrested in 2000 in the Commonwealth of Massachusetts and charged with trafficking in cocaine; that case is currently pending in Massachusetts court. In July 2003, CS 11 was arrested a second time for illegal possession of weapons. CS11 is currently cooperating with agents from the DEA in Lowell, MA and the Massachusetts State Police. At this writing CS11 is a DEA documented "CS" and is cooperating in the hope of receiving consideration at his future criminal sentencings. CS11 has provided the following information to law enforcement.

(and other members of the organization) numerous times at Bob's Carburetor/Bob's Auto Sales, 62 Jefferson Street, Salem, MA between June 2003 and his departure to Mexico in mid-September 2003.⁸ Although Bob's Carburetor/Bob's Auto Sales is owned and operated by Robert RUSCIO, MARTINEZ (and other members of the organization) appear to use this location ("the cars") as a place for drug associates to drop off money and, otherwise, gather.⁹

4) Kelvin MADERA, a/k/a Manolo, a/k/a Manuel GERMOSEN

9. Agents believe that Kelvin MADERA is the Hispanic male referred to or addressed by others as "Manolo" during authorized Title III intercepts of multiple cellular telephones, including target telephone #5 (978 335-0175), target telephone # 11 (603 205-0068), and target telephone # 16 (978 994-5812) facilities that were utilized by MADERA between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** Kelvin MADERA, a/k/a Manolo, a/k/a Manuel GERMOSEN is an Hispanic male that resides at 16 Sheldon Street, Lynn, MA with his wife, Judith Collado, and 2 children; **2)** the residence at 16 Sheldon Street, Lynn, MA is owned by Judith Collado; there are two mortgages on this

⁸ On August 9, 2003, GS Harry Brady observed both MARTINEZ and his black Jeep Cherokee at Bob's Carburetor.

⁹ On September 20, 2003, MARTINEZ told ORTIZ to drop off the money that ORTIZ owed the organization at "the cars" and to give it (\$\$) to "his brother" (ROSALES). Surveillance, later, saw ORTIZ arrive at Bob's Carburetor/Bob's Auto Sales and walk inside.

property: a \$50,000 mortgage and a \$200,000 mortgage both granted to Judith Collado; **3)** Judith Collado is Valentin MARTINEZ' sister; Valentin MARTINEZ is a close associate of MADERA in the operation of the larger cocaine distribution organization headed up by SACAIDA. (MADERA and Judith Collado, as well as Valentin MARTINEZ and Ruth Saldivar have been intercepted talking with MADERA numerous times during intercepts over target telephone # 11); **4)** when Judith Collado (MADERA's wife) gave birth to a baby girl in August 2003 at the Beverly Hospital (in Beverly, MA), the birth certificate identified the father as "Manuel GERMOSEN," his profession as "sales," and that the family resided at 16 Sheldon Street, Lynn, MA; **5)** I have reviewed the INS file for "Manuel GERMOSEN" and examined the INS photograph of Manuel GERMOSEN's photograph. The person depicted is the same person as depicted in the MA Driver's License of Kelvin MADERA, and seen by surveillance coming and going from both 16 Sheldon Street, Lynn, MA and Bridge Auto Sales, Lynn, MA, a used car business owned by MADERA. **6)** MADERA has been intercepted numerous times over target telephones either referring to "Judith" (his wife) or talking with her. When Judith Collado was in labor, MADERA was intercepted several times speaking to associates from the hospital. Following the birth of his daughter, MADERA was asked numerous times how his newborn was doing; **7)** On October 7, 2003 at approximately 8:40 a.m., GS Harry Brady observed a 2002 silver

Ford Winstar van (MA Reg. 5904 WL) parked in the rear of 16 Sheldon Street, Lynn, MA. This vehicle is registered to Judith Collado, 16 Sheldon Street, Lynn, MA; **8)** the same day, at approximately 9:00 a.m., GS Brady observed this vehicle turn left onto Eastern Avenue from Sheldon Street (a short distance down from 16 Sheldon Street) and identified the operator of this vehicle as Kelvin MADERA, a/k/a Manolo, a/k/a Manuel GERMOSEN based up Brady's review of the MA Driver's License photograph of "Kelvin MADERA," 16 Sheldon Street, Lynn, MA; **9)** MADERA has been intercepted countless times over target telephone # 11 speaking with associate Christian GERMOSEN. Christian GERMOSEN - an individual believed to be MADERA's brother - was identified by agents at approximately 12:30 p.m. outside of 46 Wyman Street, Lynn, MA on October 7, 2003 prior to meeting with ROSALES operating a black Ford Expedition (MA Reg. CI 9820) following agent review of the MA driver's license photograph of Christian GERMOSEN; **10)** MADERA and his wife, Judith Collado (MARTINEZ sister), own and operate a fruit and vegetable stand, "J&C Fruit Stand", that is situated adjacent to Building 19, 810 Lynnway, Lynn, MA. Ownership of this fruit stand is in the name of Judith Collado; **and 11)** MADERA also owns and operates "Bridge Auto Sales," 1147 Western Avenue, Lynn, MA and has been surveilled coming and going from Bridge Auto Sales numerous times during this investigation.

5) Abdallah HAMDAN

10. Agents believe that Abdallah HAMDAN is an individual intercepted during the authorized Title III intercepts of multiple cellular telephones, in particular, facilities utilized by ROSALES between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** Abdallah HAMDAN is a white male of Palestinian descent born on September 3, 1964 and believed to be a legal resident of the United States; **2)** HAMDAN is a buyer/distributor of cocaine who had several face-to-face dealings with ROSALES and an undercover officer (UC1) in the Spring of 2003 when UC1 purchased ounce and multi-ounce quantities of cocaine from HAMDAN moments after HAMDAN had met with ROSALES inside either a green Lincoln Town Car (MA. Reg. CI 355H) or the aforementioned grey Mercury Sable (MA Reg. US 8280) to obtain drugs from ROSALES; **3)** according to UC1, the person from whom he purchased cocaine several times in the Spring of 2003 was the same person depicted in the MA Driver's License photograph of Abdallah HAMDAN; **4)** I have listened to the "Kel" recordings of several of the aforementioned face-to-face meetings between UC1 and HAMDAN in the Spring of 2003 and compared HAMDAN's voice with the same person who contacted ROSALES multiple times during the operation of the Title III intercept. I am satisfied that person is HAMDAN; **and 5)** an inquiry of the Bureau of Probation in Massachusetts confirmed that Abdallah

HAMDAN was charged with possession of cocaine with intent to distribute in the Malden District Court on July 1, 2002. The case is pending.

6) Carlos RUIZ, a/k/a Coco-Colo

11. Agents believe that Carlos RUIZ is the Hispanic male referred to or addressed by others as "Coco-Colo" during authorized Title III intercepts over multiple cellular telephones, including target telephone #14 (978 210-6642), a facility that was utilized by RUIZ from December 2003 through its termination on January 11, 2004, for the following reasons: **1)** Carlos RUIZ resides at 106 Bartholomew Street, Peabody, MA with his wife, Rosa Irene Molina and 3 children; **2)** the subscriber for target telephone # 14 was "Rosa Molina" of 106 Bartholomew Street, Peabody, MA, the same address as RUIZ's residence and the subscriber name being a partial name of RUIZ' wife, Rosa Irene Molina¹⁰; **3)** on January 6, 2004, Carlos RUIZ, a/k/a Coco-Colo, was arrested by DEA agents in Peabody, MA pursuant to a federal criminal complaint from the District of New Hampshire charging RUIZ with conspiracy to distribute cocaine in violation of 21

¹⁰ Carlos RUIZ was also intercepted during the Title III investigation conversing with ROSALES and others using cellular telephone (978) 509-1775; a facility subscribed to himself -- Carlos Ruiz, 106 Bartholomew Street, Peabody, MA.

U.S.C. §841(a)(1) and 846.¹¹ A search of RUIZ's residence at 106 Bartholomew Avenue in Peabody, MA on January 6, 2004 produced \$1400 in U.S. currency, assorted bank records reflecting significant deposits and withdrawals of money into Fleet Bank accounts, an empty handgun holster and ammunition. (A handgun fitting that holster and, purportedly, belonging to RUIZ was found in a locked trailer in Derry, NH that agents believe belongs to RUIZ.) I participated in the arrest of RUIZ and, as a result, had the opportunity to meet RUIZ, ask him questions, and listen to his speaking voice. As such, the individual intercepted over target telephone # 14 and other target telephones speaking with ROSALES and others, and who was either addressed or referred to as "Coco-Colo" or "RUIZ" was, I believe, Carlos RUIZ; 4) when RUIZ was arrested on January 6, 2004, target telephone # 14 (978 210-6642) was discovered on his person.¹²

7) Ricardo MARTINEZ a/k/a Chorizo, a/ka/ Chori

12. Agents believe that Ricardo MARTINEZ is an Hispanic male referred to or addressed by others as "Chorizo" or "Chori" during the authorized Title III intercepts of multiple cellular

¹¹ RUIZ' arrest arose out of alleged drug related activities in which RUIZ was involved in and around the Portsmouth, NH area dating back to August/September 2003 and involving a drug customer of his, Darryl Witham, who lives in that area.

¹² Later, I used target telephone # 14 to call my own cellular telephone. When the call went through, I was recorded by monitors who at the time were monitoring target telephone # 14, the RUIZ facility.

telephones, in particular, facilities utilized by ROSALES and MARTINEZ between August 1, 2003 and February 26, 2004, for the following reasons: **1)** during the first three months of the Title III intercepts, Ricardo Martinez or "Chorizo" was intercepted over cellular telephone number (339) 298-9126, a telephone subscribed to "Ricardo Martinez," 31 Ridge Way Ct., Apt. 1, Lynn, MA¹³; **2)** based on intercepts over target telephones between Ricardo MARTINEZ, ROSALES, and Valentin MARTINEZ, I believe that Ricardo MARTINEZ is an associate of ROSALES and MARTINEZ in the cocaine distribution business, and that Ricardo MARTINEZ is the brother of Valentin MARTINEZ; **and 3)** On August 1, 2003, Ricardo MARTINEZ used ROSALES' facility (target telephone # 2) to speak with Judith Collado (MADERA's spouse) at 781 595-0015 on August 1, 2003.¹⁴ Ricardo MARTINEZ asked Collado to recite his Social Security Number from his driver's license - "573-27-5331." Later, I confirmed with the MA RMV that SSN #573-27-5331 was assigned to Ricardo MARTINEZ, 304 American Legion, Apt 02, Revere, MA.

8) Howard GREENBERG, a/k/a "HOWIE"

13. Agents believe that Howard Greenberg, a/k/a "Howie" is

¹³ The predecessor telephone to 339 298-9126 was 781 367-6258. This facility was also subscribed to Ricardo MARTINEZ, 14 Amity Street, Lynn, MA, and was utilized by Ricardo MARTINEZ, or "Chorizo" to converse with ROSALES during the intercept period.

¹⁴ 781 595-0015 is a land line facility subscribed to Judith Collado at 16 Sheldon Street, Lynn, MA.

the english speaking male who was referred to or addressed by others as "HOWIE" during the authorized Title III intercepts over cellular telephones utilized by ROSALES between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** GREENBERG was intercepted numerous times during the Title III intercept speaking with ROSALES over target telephone # 6 and target telephone # 15 from three (3) facilities: 617 957-1508 - a number subscribed to Howard Greenberg, 677 Revere Beach Blvd., Revere, MA; 781 289-1702 - a number subscribed to H. G. Apartment Rentals, Howard Greenberg D.B.A. H. G. Apartment Rentals, 677 Revere Beach Blvd. Revere, MA; and 781 289-0429 - a number subscribed to Howard Greenberg, 677 Revere Beach Blvd. Revere, MA; **2)** In the course of numerous calls to and from ROSALES, GREENBERG commonly identified himself to ROSALES as "HOWIE"; **and** **3)** On August 19, 2003, after intercepting several calls between ROSALES and GREENBERG about GREENBERG buying drugs, surveillance followed ROSALES from his apartment house at 80 Sagamore Street in Lynn to 677 Revere Beach Blvd. in Revere (GREENBERG's residence), and saw ROSALES enter GREENBERG's building, stay several minutes, then exit the building, having completed, I believe, a drug deal.

9) Carlos COLON RIVERA, a/k/a "Tigueron"

14. Agents believe that Carlos Colon RIVERA, a/k/a Tigueron is the Hispanic male who was referred to addressed by ROSALES as

"TIGUERON" during the authorized Title III intercepts over cellular telephones utilized by ROSALES (target telephone # 2, target telephone # 6, and target telephone # 15) between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** COLON RIVERA was intercepted numerous times during the Title III intercept speaking with ROSALES over target telephone # 6 and target telephone # 15 from 617 953-1960 - a cellular telephone number subscribed to Cynthia Hoffens, 845 Clay Street, Apt #2, Manchester, NH; **2)** COLON RIVERA was intercepted speaking with ROSALES over target telephone # 2 the morning of August 7, 2003. After ROSALES told COLON RIVERA to meet him at 46 Wyman Street, Lynn, MA to do a deal and that ROSALES would be there in "3 minutes," surveillance agents observed an Hispanic male wearing a black tank top arrive at 46 Wyman Street driving a burgundy Cadillac sedan (NH Reg. 1394249), then observed ROSALES arrive at the location driving the grey Mercury Sable wagon (MA Reg. US 8280). After the Hispanic male from the burgundy Cadillac spoke with ROSALES through ROSALES' vehicle window, the Hispanic male returned to the burgundy Cadillac and drove away. New Hampshire RMV confirmed that the burgundy Cadillac (NH Reg. 1394249) was registered to Cynthia Hoffens, 845 Clay Street, Apt. 2, Manchester, NH; the same name and address as the subscriber of the facility with which COLON RIVERA spoke with ROSALES; **and 3)** on August 16, 2003, COLON RIVERA was intercepted speaking with

ROSALES over target telephone # 2. At 12:45 p.m. ROSALES told COLON RIVERA to meet him (ROSALES) "at the meat place" - referring to the Hilltop Steakhouse on Route 1 in Saugus, MA. At 1:27 p.m. surveillance agents observed the burgundy Cadillac bearing New Hampshire plates (NH Reg. 1394249) enter the Hilltop parking lot, and the driver of the vehicle enter the restaurant. After returning to his vehicle, the Cadillac operator exited his vehicle a second time (1:47 p.m.), and met with the driver of the grey Mercury Sable wagon (ROSALES) that had just arrived in the Hilltop parking lot. Moments later, the Mercury Sable was seen departing the parking lot, 30 seconds after that the burgundy Cadillac also departed the parking lot. A short time later, the burgundy Cadillac was stopped northbound on Route 93 by MA State Police Sergeant Richard Embanks. The operator of the burgundy Cadillac was identified as Carlos COLON RIVERA (DOB 8/27/64).

10) Rogelio GARCIA, a/k/a "Lacuilla", "Alberto"

15. Agents believe that Rogelio GARCIA is an Hispanic male referred to or addressed by others as "Lacuilla," "Alberto," or "Rogelio GARCIA" during the authorized Title III intercepts of multiple cellular telephones utilized by ROSALES, MARTINEZ, MADERA, as well as target telephone #12 (781 244-0256) and target telephone # 13 (617 953-5991), facilities that were utilized by GARCIA between August 1, 2003 and February 26 , 2004, for the following reasons: **1)** during this investigation, I obtained a MA